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C O N F I D E N T I A L SECTION 01 OF 02 CHIANG MAI 000202

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SUBJECT: ELECTION COMMISSIONS: A TALE OF TWO PROVINCES

REF: CHIANG MAI 200 (Local MOI Official Admits Raids Target PPP and Vote Buying)

CHIANG MAI 00000202 001.2 OF 002

CLASSIFIED BY: Alex Barrasso, Chief, Pol/Econ , CG Chiang Mai.
REASON: 1.4 (b)
Classified by Pol/Econ Chief Alex Barrasso for reasons 1.4 (B) and (D).

SUMMARY

¶1. (C) At provincial Election Commission of Thailand (ECT) offices in Chiang Mai and Chiang Rai Provinces, we heard two very different assessments of the road ahead leading up to the election on December 23 and its aftermath. While the Chiang Rai ECT's most pressing concern is natural disasters that could interfere with voters getting to polling stations, Chiang Mai ECT officials are concerned about having to handle many invalid ballots and navigating the numerous election law changes since the most recent elections in 2006. Regardless of how optimistic they are about their ability to fulfill their mandate, the lack of resources at these two ECT offices, and general confusion about the balloting process, make their task an ongoing uphill battle. End Summary.

Chiang Mai: A Tough Road Ahead

¶2. (C) On November 16, Chiang Mai ECT officials briefed Consulate staff and visiting Bangkok poloff on the challenges the ECT is facing in this key northern province. They cited two changes in election laws that have a significant impact on voters. First, in 2006, loopholes existed in provisions in the law designed to combat vote buying making only officials offering the money subject to legal sanction. But now, new election laws also prohibit citizens from accepting money in exchange for their votes. The Chiang Mai ECT claimed it is actively trying to educate the public about this change, particularly through announcements over loudspeakers in villages. A second key difference between this election and previous ones is the existence this year of two ballots -- one for constituency seats and a second for party list candidates. According to the ECT, the distribution of these seats means that in most electoral districts in Chiang Mai province, voters can select as many as three candidates on the constituency ballot, while in one district they can only choose two. Chiang Mai Election Commissioner Pakdee Ratanaphol speculated that this change, which may not completely be understood by most voters,

would lead to an increase in the number of invalid ballots cast by a confused electorate. In the last election, he noted that three percent of Chiang Mai provincial ballots were deemed invalid; this time, he expects that figure to rise to five percent.

Investigations and Monitoring

¶3. (C) Pakdee said he also had several concerns about dispute adjudication. First, investigations eat up resources and time. Pakdee asserted that the Chiang Mai ECT only has 20 employees for the entire province, five of whom are investigators tasked with investigating election law violations. He said they will be counting on significant support from the military and police if they have to carry out any investigations. Furthermore, Pakdee noted that legal action would have to follow any investigation, requiring expertise the provincial ECT does not possess. Lastly, he was concerned that the entire dispute adjudication process could delay the announcement of final election results.

¶4. (C) Pakdee said there would be six NGOs contracted by the government observing the elections in Chiang Mai. He said he was not aware of other "official" observers that would be in the province. (Note: The Asian Network for Free Elections (ANFREL) plans to deploy at least one observer team to the province. End note.) Pakdee said the government had set aside 99 million Baht (approximately USD 2.9 million) for election monitoring nation-wide. Of this amount, Chiang Mai Province received only one million Baht (approximately USD 30,000). According to Pakdee, Chiang Mai Province will have 2,500 polling stations operating on election day serving approximately 1.6 million registered voters. Each polling station will be staffed by approximately 15 people. Representatives of political parties will also be present to observe the process.

Chiang Rai: WE CAN DO IT!

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¶5. (C) Amornpong Wichitakul at the Chiang Rai Provincial ECT office told us on December 12 that he has every expectation the December 23 election will be free and fair. He said there has been news on TV about vote-buying, but that the ECT does not have any investigations underway. Press reports alleging bias on the part of government officials toward certain candidates were untrue, he said, as were reports in November that eight Provincial Government officials had been transferred because of such biases. (Note: In late November, a journalist told us that two of these officials (Assistant Subdistrict Officers) had indeed comported themselves in a manner favorable to the People's Power Party, leading to their transfer. End Note.)

¶6. (C) Amornpong said the Chiang Rai ECT has 22 employees responsible for overseeing the province's 1,863 polling stations and approximately 840,000 registered voters. He confirmed that NGOs would be observing voting on election day, adding that observers can deter any attempt to manipulate results. Representatives of political parties, police, and students would also serve as witnesses at polling stations, he affirmed. Though he admitted that vote-buying techniques had become more sophisticated, he expressed confidence in the ability of ECT staff, with support from the police and military, to investigate complaints of improprieties. Like Pakdee in Chiang Mai, Amornpong did express concern about voters not understanding election processes. He said that the Chiang Rai ECT was making use of the media in cooperation with the Ministry of the Interior and local leaders to educate voters about how to properly mark ballots. When we asked what his biggest concern was about election day, Amornpong quickly responded it was that rainfall or other natural disasters like landslides might prevent voters from getting to polling stations. (Comment:

This strikes us as disingenuous at best given that (a) it's the dry season and (b) Chiang Rai has been rife with reports of alleged campaign irregularities, including intimidation tactics by the army and police - see Chiang Mai 200. End Comment).

COMMENT

17. (C) Amornpong was far more optimistic about polling in Chiang Rai going smoothly than was Pakdee about the situation in Chiang Mai. Amornpong appeared to dismiss our questions about vote-buying and other irregularities, whereas Pakdee was more forthcoming about the difficult task ahead. Pakdee has significantly more election experience than Amornpong, having worked for the Ministry of the Interior and served as a Vice Governor several times before joining the ECT. We believe that the problems Pakdee pointed out (confusion over filling out ballots and lack of resources to investigate complaints) are likely to figure more prominently in the results of the December 23 elections than any natural disaster. Overseeing such a large operation with so few staff on election day, and carrying out proper investigations of complaints, are likely to remain significant challenges for these two ECTs.

MORROW